

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6553

BILL NUMBER: HB 1216

NOTE PREPARED: Jan 26, 2015

BILL AMENDED: Jan 26, 2015

SUBJECT: Missing Children and Trafficked Children.

FIRST AUTHOR: Rep. Truitt

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) *Providision of Informational Pamphlet*- The bill requires the Superintendent of the State Police Department (ISP) to: (1) provide a written informational pamphlet that includes information concerning the National Center for Missing and Exploited Children and the National Runaway Safeline; and (2) distribute the pamphlet to every law enforcement agency. The bill requires a law enforcement agency to provide the pamphlet to a person making a report of a missing child at the time the person makes the report.

Defense & Reporting- The bill also provides a defense to the crime of prostitution if the person was a child who was a victim or alleged victim of human or sexual trafficking at the time the person engaged in the prohibited conduct. The bill requires a law enforcement agency to immediately contact the Department of Child Services if the law enforcement agency detains an alleged victim of human or sexual trafficking who is less than 18 years of age.

Effective Date: July 1, 2015.

Explanation of State Expenditures: (Revised) *Providing of Informational Pamphlet*- It is likely the ISP could provide a suitable pamphlet within existing resources or with the assistance of either other public or private missing children organizations.

(Revised) *Additional Information*- The National Center for Missing and Exploited Children (NCMEC) and the National Runaway Safeline (NRS) have links to a pamphlet called the *Missing-Child, Emergency-Response, Quick-Reference Guide*. The pamphlet includes instructions and an 800 number that

could meet the requirements of the bill. The NCMEC offers copies for \$0.10 and offers the first 50 copies for free. Additionally, the NRS offers a brochure with the NRS's mission and several contact 800, business line, and fax numbers.

Defense & Reporting- The Department of Child Services would likely be able to respond to calls from law enforcement agencies regarding children in custody and under the age of 18 who may be victims of either abuse or neglect, as they would with respect to other children who are reported as abused or neglected.

Explanation of State Revenues: *Defense & Reporting-* With fewer court cases occurring and fines collected, revenue would be reduced to both the Common School Fund (from fines) and the state General Fund (from filing fees). The maximum fine for a Class A misdemeanor is \$5,000. Other fees would be impacted as well; however, the loss of revenue is likely to be small.

Explanation of Local Expenditures: *Defense & Reporting-* A Class A misdemeanor is punishable by up to one year in jail. With fewer cases occurring, there may be a small reduction in the number of persons incarcerated in county jails.

Explanation of Local Revenues: *Defense & Reporting-* If fewer cases occur, local revenues from court fees may be reduced. However, any reduction is likely to be small.

State Agencies Affected: Indiana State Police.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: www.1800runaway.org/assets/1/7/NRS_General_Brochure_English.pdf; <http://www.missingkids.com/publications/NC198>. M.Trp. Eric Wandersee, Indiana State Police.

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